

The proposal to require all radio broadcasters to record and retain the recording for a specified period of time raises three points.

1) Radio broadcasters are licensed to serve the public interest. This requirement smacks of serving the FCC interest, rather than the public interest. This does, in fact, become a choice because, with limited resources, small market stations will need to choose between budgeting to fulfill the FCC requirement or serving the public through local broadcasting. Actually, serving the public interest first better serves the interest the FCC is seeking.

2) The recording requirement requires that a broadcaster prove innocence rather than the accuser proving guilt. This turns our legal system upside down. In this day when there are computer software programs to edit what is recorded this is a curious requirement. Either the broadcaster or the accuser could edit what is recorded. It is better to depend on the reputation of a program or a station as judged by a far larger number in the community. That community dictates the standard, and they do it promptly and specifically.

3) Our company has had in place for several years a policy for instructing employees recognizing appropriate community standards and what to do when the standard is in doubt. This has been an effective tool for assuring compliance with regulations. It is better than recording programming and assessing after the fact.

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